

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

EXTRAORDINARY

GOVERNMENT OF GOA, DAMAN AND DIU

Local Administration & Welfare Department
Directorate of Civil Supplies and Price Control

ORDER

DCS/S-3-3/Com/80

In exercise of the powers conferred under sub clause (1) of clause 7 of the Goa, Daman and Diu Cement Dealers Licensing Order, 1978, I, R. I. Jai Prakash, Director of Civil Supplies and Price Control, Panaji, hereby make the following Order to regulate the sale, disposal, delivery and distribution of cement in Goa District, namely: —

1. *Declaration of Stocks:* — (1) Every stockist or dealer in cement in the Goa District shall from the date of publication of this Order in the Official Gazette declare forthwith the stock of cement held by him, to the concerned Deputy Collector within whose jurisdiction the stockist or the dealer is having his place of business.

(2) Every declaration made under clause (1) above shall contain details as to the places or the godowns in which the cement declared is stocked.

(3) A copy of the declaration made under this clause shall be submitted by the dealer, to the Director of Civil Supplies, Panaji, Goa.

2. *Submission of returns.* — (1) Every dealer in cement in Goa District shall, submit on every Monday, a return showing correctly the stock of cement held by him at the beginning of the week, receipt and issuance of cement during the week and the balance thereof at the end of the week, to the authority to whom the declaration under clause 1 had been submitted by him.

(2) The copy of such return shall be submitted by the dealer to the Director of Civil Supplies, Panaji, Goa and to Mamlatdar within whose jurisdiction the dealer has his place of business.

3. *Disposing of cement by stockist or dealer.* —

(1) No dealer shall dispose in any manner cement in his stock to any person except on production of a valid permit issued by the authorities in Form 'A'.

(2) A person requiring cement for his use shall apply in Form 'B' appended to this Order to the concerned Deputy Collector within whose jurisdiction the construction work is to be carried out or is being carried out.

(3) Every application made under sub-clause (2) above shall be duly recommended in Form 'C' by: —

(a) The Municipal Engineer or an engineer or architect of the Public Works Department if cement is required for construction of houses.

(b) The Chief Officer of the concerned Municipality in Municipal areas or the Sarpanch in the Village Panchayat areas, if cement, upto 5 bags, are required for minor repairs;

(c) By the concerned Block Development Officer if cement is required for construction purposes connected with agriculture, like well, etc.

(4) In case the applicant has not utilized the cement purchased by him within the period specified, he may make an application to the authority who had issued the said permit, in Form 'D'.

(5) The permit shall be issued in Form 'A' appended to this Order.

4. *Issue of cash memo.* — Every dealer selling the cement shall issue a cash memo to the purchaser signed by him mentioning the permit number, its date, name and address of the purchaser, quantity, quality, rate and the total price for which the cement was sold by him to the purchaser. The cash memo shall be in possession of the person transporting the cement and shall be produced on demand to the Mamlatdar of concerned Taluka or Inspector or Sub-Inspector of the Civil Supplies Department or of the Police Department.

5. *Selling Price of Cement.* — All dealers shall sell cement at the rate fixed by the Director of Civil

Supplies, Panaji, Goa, or the Government. Any contravention will be dealt with under Section 7 of the Essential Commodities Act, 1955 (Central Act 10 of 1955).

6. *Maintenance of register.* — (1) Every dealer, besides observing compliance of all provisions of the Goa, Daman and Diu Cement Dealers Licensing Order, 1978 and the conditions imposed under the licence, shall also maintain a register showing the details of day to day transaction under the following heads: —

- (a) Date of transaction;
- (b) Name and address of purchaser;
- (c) Quantity sold;
- (d) The number of permit or authorisation against which the cement is sold;
- (e) Signature of the purchaser.

7. *Ban on hoarding.* — No dealer shall refuse to sell the cement available in his stock to a person having valid permit issued to him by the authorities referred to in clause 3 above.

R. I. Jai Prakash, Director of Civil Supplies, Panaji.
Panaji, 3rd March, 1980.

FORM "A"

Government of Goa, Daman and Diu

Department of Civil Supplies and Price Control

[See Clause 3(1)]

Office of the Dy. Collector, Goa ...

Division

Messrs.

You are authorised to supply cement as follows: —

1. Indentor's name ...
2. Address ...
3. Quantity ...
4. The period for which the consumer is permitted to be in possession of the cement from the date of issue, is ...
5. The cement is issued only for the purpose of ... and should be strictly used for that purpose.
6. The permit is not transferable.
7. The permit is valid for ... days from date of issue.

Dy. Collector, Goa ... Division

Date: ...

FORM "B"

Government of Goa, Daman and Diu

Directorate of Civil Supplies and Price Control

[See Clause 3(2)]

APPLICATION

From:

To:

I require ... (in words) bags of cement during the month of ... year ... for the following purpose.

...

The work will be carried out at the following locality:

...
...

It is estimated that after the cement comes into my possession, the work will take ... days to complete by which time the cement will have been consumed.

I am attaching a certificate from the Engineer/Architect in form C to the effect that for the purpose mentioned above, I shall require ... bags of cement (The full name and address of the Architect/Engineer should be indicated) together with the plan duly approved by the Municipality/Panchayat and the Municipal/Panchayat licence.

I have signed the declaration overleaf and such declaration concerns this my application.

Signature of applicant

Place ...

Date ...

No application will be considered if the applicant fails to sign the declaration overleaf.

Declaration concerning the application for cement

Stamp duty, if any, payable on this agreement shall be borne by Government. No application will be considered unless the declaration given below is signed by the applicant:

1. I declare that no cement was purchased by me for the purpose above/... bags of cement were purchased by me for the above purpose earlier, out of which ... bags were utilised/... bags are still in my possession/all the bags were utilised on the date of this application.

2. I declare that no other person has applied for the cement required for the specified purpose as mentioned above.

3. I declare that no application for the cement required for the specified purpose as mentioned above is being made by me, or any other person on my behalf through any other channel.

4. I declare that if a certificate is issued on my application, the full quantity of cement shall be used only for the work stated above and that it will not be used for any other work or given or sold to any other party and breach by me of this condition will amount to misrepresentation and obtaining of cement by false pretence.

5. I agree that any authorized representative of the Director of Civil Supplies or the concerned Mamlatdar may inspect the work and my stocks obtained under this authorisation or previous authorisation whatever they may be, at any time on request, and I shall also provide such information as to its use as may be asked for.

6. I agree that if it is found that any portion of the cement supplied to me has been resold or used for any purpose other than stated by me or stored by me for a period beyond that for which I am permitted, without obtaining fresh authorisation in this regard, All the cement in stock or with me may be confiscated without prejudice to any other action for which I may be liable under the Essential Commodities Act, 1955.

Place ...

Date ...

Signature of the Applicant

* Delete the words/expression not required.

FORM "C"

Government of Goa, Daman and Diu

Directorate of Civil Supplies and Price Control — Panaji

[See Clause 3(3)]

Shri/Smt./M/s. ... resident of ... requires ... bags of cement for the purpose of ... at ...

To the best of the knowledge and belief of this Panchayat/Municipality the requirement is genuine. There is therefore, no objection to any dealer/dealers releasing to him/her/them altogether ... bags of cement.

Place ...

Date: ...

Engineer/Architect

Sarpanch

... Municipality ... Panchayat.

FORM "D"

Government of Goa, Daman and Diu
Directorate of Civil Supplies and Price Control
[See Clause 3(4)]

From:

To:

Sir,

The cement issued to me under permit No. ..., dt. ... could not be utilized by me during the validity of the permit for the following reasons ...

I, therefore request you to grant me further extension of ... days/months for utilization of the said cement.

Date:

Yours faithfully,